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REMARKS

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Claim 74 has been amended. Claim 78 has been added.

Support for the claims as amended can be found in the specification on page 4, lines 12-16, page 17, lines 6-13 and in Examples 10 and 18, for example. For Claim 78, see also page 17, line 33 to page 18, line 13.

Objection to Claim 74 for Typographical Error

Claim 74 has been amended to clarify the identity and characteristics of the claimed peptide that binds to the p75 nerve growth factor receptor.

Rejection of Claims 74-77 for Double Patenting

In the Office Action dated 7 February 2006, the Examiner rejected claims 74-77 under the judicially-created doctrine of obviousness-type double patenting. The Examiner stated that the claims were unpatentable over Claims 2 and 19 of U.S. Patent No. 6,103,689 because “[i]nstant Claims 74-77 are drawn to a method of delaying hair loss in a mammal using a biologically active fragment of NGF (SEQ ID NO: 4, 9, 10 or “KGA”) . . . Claim 2 of the ‘689 patent is drawn to a method of inhibiting apoptosis in keratinocytes using . . . a biologically active fragment of nerve growth factor.”

However, Claims 74-77 are not directed to methods using a biologically active fragment of nerve growth factor (NGF). Claim 74, as amended, is directed to a method that uses a peptide comprising KGA which binds to the p75 nerve growth factor receptor on a keratinocyte. NGF does not contain the amino acid sequence “KGA,” nor do any of the other neurotrophins in the methods of Claims 2 and 19 of U.S. Patent No. 6,103,689. Similarly, Claims 75-77 are directed to methods using peptides with specific sequences, SEQ ID NOs: 4, 9, and 10 respectively, that contain the amino acid sequence “KGA.” Consequently, Claim 74 as amended and Claims 75-77 are patentably distinct from Claims 2 and 19 of U.S. Patent No. 6,103,689.

Request to Correct Records of Patent Office

A Corrected Filing Receipt was mailed from the U.S. Patent and Trademark Office on 11 June 2003 incorrectly listing the first-named co-inventor as “Barbara A. Gilchrist.” A Request for Corrected Filing Receipt for Utility Applications was mailed to the Patent Office on 18 June

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2003, requesting correction of a spelling error. Applicants again request that the surname of the first-named co-inventor be corrected to "Gilchrest" in the records of the Patent Office

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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